

AO 93 (SDNY Rev. 05/10) Search and Seizure Warrant

UNITED STATES DISTRICT COURT

for the
Southern District of New YorkIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Case No. 10 Mag 2587

THE PREMISES KNOWN AND DESCRIBED AS
LEVEL GLOBAL INVESTORS, 888 SEVENTH AVENUE,
27TH FLOOR, NEW YORK, NY (AS ATTACHED)

ORIGINAL

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search
of the following person or property located in the SOUTHERN District of NEW YORK

(Identify the person or describe the property to be searched and give its location):

THE PREMISES KNOWN AND DESCRIBED AS LEVEL GLOBAL INVESTORS, 888 SEVENTH AVENUE, 27TH
FLOOR, NEW YORK, NY (AS ATTACHED) (AND ANY LOCKED OR CLOSED CLOSETS, SAFES, CABINETS AND
CONTAINERS THEREIN)The person or property to be searched, described above, is believed to conceal (Identify the person or describe the
property to be seized):

SEE ATTACHED AFFIDAVIT, INCLUDING ALL ATTACHMENTS

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or
property.YOU ARE COMMANDED to execute this warrant on or before November 28, 2010
(not to exceed 14 days)☒ in the daytime 6:00 a.m. to 10 p.m. ☐ at any time in the day or night as I find reasonable cause has been
established.Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property
taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the
place where the property was taken.The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an
inventory as required by law and promptly return this warrant and inventory to the Clerk of the Court.☒ Upon its return, this warrant and inventory should be filed under seal by the Clerk of the Court. T.K.
USMJ Initials☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay
of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be
searched or seized (check the appropriate box) ☐ for _____ days (not to exceed 30).

Until, the facts justifying, the later specific date of

Date and time issued:

11:00 PM
November 24, 2010

Judge's signature

Theodore H. KatzCity and state: NEW YORK, NEW YORKHONORABLE THEODORE H. KATZ, U.S.M.J.

Printed name and title

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Return		
Case No.: <u>10 MAG. 2587</u>	Date and time warrant executed: <u>11/22/10 7:55am & 11/30/10 1:45pm</u>	Copy of warrant and inventory left with: <u>Jeremy Bohrer</u>
Inventory made in the presence of: <u>Martha Berclote (11/22); Edmund Rom (11/22); Mark Munster (11/30)</u>		
Inventory of the property taken and name of any person(s) seized: <p>Please see attached FD-597s for inventory of seized items. Also, please note that the firm Level Global needed additional time to complete a data download per the warrant, and said download was provided to the FBI on removable hard drives on 11/30/2010.</p>		
<p style="text-align: right;"><i>Holly J. Trask</i> Holly J. Trask</p>		
Certification		
<p>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the Court.</p>		
Date: <u>12/2/2010</u>	<p style="text-align: center;"><i>Holly J. Trask</i> <small>Executing officer's signature</small> <u>Holly J. Trask, Special Agent</u> <small>Printed name and title</small> FBI</p>	

ATTACHMENT A
(page 1 of 2)

THE PREMISES KNOWN AND DESCRIBED AS (A) THE OFFICES OF DAVID GANEK, ANTHONY CHIASSON, AND [REDACTED] INCLUDING ALL COMPUTERS, HAND-HELD DEVICES, AND CELLULAR TELEPHONES, (B) THE DESKTOP AND LAPTOP COMPUTERS OF SAM ADONDAKIS, AND (C) A MIRROR IMAGE OF LEVEL GLOBAL INVESTORS' SERVERS WHICH WILL THEN BE SEARCHED USING SPECIFIC SEARCH TERMS AND PROCEDURE SET FORTH IN ATTACHMENT B, ALL LOCATED AT LEVEL GLOBAL INVESTORS, 888 7TH AVENUE, 27TH FLOOR, NEW YORK, NEW YORK

(A) THE OFFICES OF DAVID GANEK, ANTHONY CHIASSON, AND [REDACTED] INCLUDING ALL COMPUTERS, HAND-HELD DEVICES, AND CELLULAR TELEPHONES: All financial records, handwritten documents and/or notebooks, letters and correspondence, photographs, telephone and address books, identification documents, travel documents, telephone records, computers and other electronic devices, cellular telephones, and other records and documents that constitute evidence of the commission of securities fraud, wire fraud, money laundering, commercial bribery, conspiracy to commit and aiding and abetting the commission of such crimes, or are contraband and/or the fruits of violations of the federal securities fraud, wire fraud, money laundering, and commercial bribery laws, and/or are designed or intended as a means of violating the federal securities fraud, wire fraud, money laundering, and commercial bribery laws, including any of the above items that are maintained within other closed or locked containers, including those that may be further secured by key locks (or combination locks) of various kinds. These items will be searched pursuant to the procedure set forth in Attachment B.

ATTACHMENT A
(page 2 of 2)

(B) THE DESKTOP AND LAPTOP COMPUTERS OF SAM ADONDAKIS,
AND

(C) A MIRROR IMAGE OF LEVEL GLOBAL INVESTORS' SERVERS
WHICH WILL THEN BE SEARCHED USING SPECIFIC SEARCH TERMS AND
PROCEDURE SET FORTH IN ATTACHMENT B.

ATTACHMENT B

(page 1 of 2)

1. The Federal Bureau of Investigation ("FBI") will follow the following procedure with respect to the search of the servers listed in Attachment A at Level Global Investors.

First, personnel at the FBI will make a mirror image of all, or as much as feasible and necessary, of the servers at Level Global Investors. In the event that the FBI cannot make a mirror image of a server or servers on site, the FBI will remove the servers and mirror the servers off site as soon as reasonably possible. In that event, once the servers have been imaged, they will be returned.

Second, if Level Global Investors volunteers to make a mirror image of the servers and (if and only if) the FBI determines that their assistance is necessary and proper, the FBI will supervise the process by which all, or as much as feasible and necessary, of the servers at Level Global Investors will be imaged.

Third, following completion of the imaging process, the FBI will designate one or more personnel who will be walled off from the investigation to conduct the following searches of the imaged material from the servers:

(1) Search for all emails and documents authored by, sent to, and/or received from David Ganek, Anthony Chiasson, [REDACTED] and Sam Adondakis.

(2) Search for all emails and documents containing the following search terms in the file name or anywhere in the electronic data of the file(s):

- (a) [REDACTED]
- (b) [REDACTED]
- (c) "my check"
- (d) consultant
- (e) [REDACTED]
- (f) [REDACTED]
- (g) Kinnucan
- (h) "Broadband Research"
- (i) Dell
- (j)
- (k)

ATTACHMENT B

(page 2 of 2)

2. For all other items listed in Attachment A (other than the servers which is covered by procedure #1 above), the FBI will search the content in Attachment A for the following information:

1. Any and all communications between and among David Ganek, Anthony Chiasson, [REDACTED] Sam Adondakis, [REDACTED] consultants, [REDACTED] John Kinnucan, Broadband Research, and any third-party consultant.

2. Any and all documents relating to, reflecting, and/or concerning information about public companies.

3. Any and all evidence reflecting communications about trading based on information about public companies.

4. Any and all other evidence that will assist the FBI in identifying and/or determining whether other individuals were involved in providing material, nonpublic information in violation of fiduciary and other duties of confidentiality and/or involved in trading based on material, nonpublic information.

5. Any and all other information reflecting and/or showing and/or leading to evidence, fruits, and/or instrumentalities of violations of Title 18, United States Code, Sections 371, 1343, 1348, 1349, 1952, 1956, Title 15, United States Code, Sections 78j(b) and 78ff, and Title 18, United States Code, Section 2 in connection with those offenses.

FD-597 (Rev 8-11-94)

Page 1 of 1

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 318D-NY-302921On (date) NOV 22, 2010

item(s) listed below were:

- ☐ Received From
☐ Returned To
☐ Released To
☒ Seized

(Name) LEVEL GLOBAL(Street Address) 888 7TH AVE, NEW YORK

(City) _____

Description of Item(s): ONE(1) SEAGATE HDD S/N 6VM9TH A9
FROM ROOM A (SC2)ONE(1) SEAGATE HDD S/N 6VM9TJ4H FROM ROOM A (SC2)ONE(1) SEAGATE HDD S/N 6VY4VXNH FROM ROOM D (SC3)ONE(1) SEAGATE HDD S/N 6VM9TKG6 FROM ROOM D (SC4)ONE(1) WESTERN DIGITAL HDD S/N WMAEK 2098598 FROM
ROOM D (SC5)ONE(1) DVD CONTAINING CELL PHONE EXTRACTION FROM
DAVID GANEK IPHONE & BLACKBERRY CELL PHONESONE(1) DVD CONTAINING CELL PHONE EXTRACTION FROM
& CHIASSON CELL PHONESONE(1) SEAGATE HDD S/N 9VP8594M CONTAINING HOME
DIRECTORIES FOR GANEK, ACHIASSON, [REDACTED]
SADONDAKIS.

SA [Signature]
FBI-NYO CHET

Nothing Follows

Received By _____

(Signature)

Received From _____

SA [Signature]
(Signature)

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Page 1 of 1

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized**

File # 318D-WY-302821On (date) 11/22/2010

item(s) listed below were:

- ☐ Received From
☐ Returned To
☐ Released To
☒ Seized

(Name) Level Global Investors
 (Street Address) 888 Seventh Avenue, 21th Floor, Room A (CHIASSON)
 (City) New York

Description of Item(s): One Motorola mobile phone (SUG 2707AA-TI-366GTI-OM), One Motorola mobile phone (SUG 2338RA-TI 1634TI-II), one Motorola mobile phone (SUG 2020BE-GI 206AGIBA-ORUN), one LG Electronics Inc. mobile phone (model no: LG-TM510, S/N: 17K0352282), one Motorola phone charger labeled "RAZR", one yellow SanDisk 512 MB thumb drive, one DVD labelled "Exit Through the Gift", one 16GB iPod serial no: YM9383VSSBF

11/22/2010

Received By: _____
 (Signature)

Received From: _____
 (Signature)

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized**

File # 318D-NY-302921On (date) 11/30/10

item(s) listed below were:

- ☒ Received From
☐ Returned To
☐ Released To
☐ Seized

(Name) Chris Moskowitz(Street Address) 888 7th Avenue, 27th Floor(City) New York, NYDescription of Item(s): Two (2) removable hard drives containing data from: (Item #8)

① EAS Archive Server; HP ProLiant DL360 G4 -
Host Name: LGIZNT1CT

② Indexing Server; VMware Guest → HP ProLiant
BL460 G1 - Host: LGIZNT-IndexCT

③ Database; HP ProLiant BL460 G1 - Host Name:
LGISQ11CT

Received By: [Signature]
(Signature)

Received From:

[Signature]
(Signature)
SEAN FARRELL

FD-597 (Rev 8-11-94)

ITEM # 9 JRH

Page 1 of 1

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 3180-NY-302On (date) NOVEMBER 22, 2010

item(s) listed below were:

- ☐ Received From
☐ Returned To
☐ Released To
☒ Seized

(Name) LEVEL GLOBAL - [REDACTED] OFFICE(Street Address) 889 7th Avenue New York NY(City) New York NYROOM 0

Description of Item(s): FOUR YELLOW WRITING PADS; 8 MEDIUM SIZED
BOUND NOTEBOOKS; ONE COMPOSITIONS NOTEBOOK; ONE COMPLIANCE
POLICIES & PROCEDURES MANUAL INCLUDING THE FIRM'S CODE OF ETHICS
OF LEVEL, TWO SMALL YELLOW WRITING PADS; VARIOUS HANDWRITTEN
+ COMPUTER GENERATED PAPERS (binder clipped);

MEKReceived By: _____
(Signature)Received From: _____
(Signature)

FD-597 (Rev 8-11-94)

ITEM #4 JRM

Page 1 of 1

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 318D-NY-302921

Office D

On (date) 11/22/2010

item(s) listed below were:

- ☐ Received From
☐ Returned To
☐ Released To
☒ Seized

(Name) Level Global- office of David Ganek
(Street Address) 888 Seventh Avenue, 27th Floor
(City) New York New York

Description of Item(s): Business Continuity plan binder; Two Level envelopes containing instant message data; silver ERotic networker notebook; black mood Five Star notebook; green spiral notebook; white note pad; 2006 [REDACTED] "US and European Equity Investors"; [REDACTED] 2006 Stock Picks; Level Compliance and Procedures Manual; various documents; Spreadsheet of /Detail list of Cash on of 6/4/2009; List of Artwork in [REDACTED] and David Ganek Collection;

HFF

Received By: _____
(Signature)

Received From: _____
(Signature)

ITEM #3 JRH

FD-597 (Rev 8-11-94)

Page 1 of 2

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 318D-NY-302921

On (date) November 22, 2010

item(s) listed below were:

- ☐ Received From
☐ Returned To
☐ Released To
☒ Seized

(Name) Level Global Investors

(Street Address) 888 Seventh Avenue, 27th floor, Room A (CHIASSON)

(City) New York

Description of Item(s):

- (5) ~~(2)~~ FIVE ~~manila~~ ^{yellow} WRITING PADS,
- (1) ONE MANILLA FOLDER LABELED "PROTECT CHOP" CONTAINING VARIOUS PAPERWORK,
- (1) ONE STACK OF VARIOUS PAPERWORK INCLUDING EMAIL AND SPREADSHEETS
- (1) ONE STACK OF VARIOUS PAPERWORK INCLUDING EMAIL FROM [REDACTED] DATED JULY 27, 2010 8:57AM.
- (1) ONE STACK OF VARIOUS PAPERWORK INCLUDING BOOKLET ENTITLED "GLOBAL AND ASIA INVESTMENT STRATEGY."
- (1) ONE ~~RED~~ RED COMPOSITION NOTEBOOK LABELED "OCTOBER 2005 LEVEL GLOBAL INVESTORS NOVEMBER 2005,"
- (1) ONE BLACK COMPOSITION NOTEBOOK LABELED "FEBRUARY LEVEL GLOBAL 2006,"
- (1) ONE DARK BLUE COMPOSITION NOTEBOOK,
- (1) ONE PLASTIC FOLIO CONTAINING VARIOUS PAPERWORK INCLUDING DOCUMENT ENTITLED "EZ PASS BREAKDOWN FROM 1-22-07 TO 5-20-07."
- (1) ONE GREEN FOLDER LABELED "PROTECT LOPEZ" CONTAINING VARIOUS PAPERWORK.
- (8) EIGHT PLASTIC BOUND DOCUMENTS CONTAINING VARIOUS PAPERWORK TO INCLUDE "CHIASSON Q3 2008 REVIEW - NOV 21, 2008,"

R. J. B.

Received From:

(Signature)

(Signature)

R. J. B.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 318D-NY-302921On (date) NOVEMBER 22, 2010

item(s) listed below were:

- ☐ Received From
☐ Returned To
☐ Released To
☒ Seized

(Name) LEVEL GLOBAL INVESTORS
(Street Address) 888 SEVENTH AVENUE, 27TH FL, ROOM A (CHIASSON)
(City) NEW YORK, NEW YORK.

Description of Item(s):

- (1) ONE STACK OF PRINTED EMAILS TO INCLUDE EMAIL TO DAVID GANOK
DATED FEBRUARY 24, 2009 3:02 PM,
(1) ONE BLACK LOOSE LEAF BINDER LABELED "AC/DG NOTEBOOK,"
(1) ONE WHITE LOOSE LEAF BINDER LABELED "2010 RESEARCH IDEAS"
(1) ONE STACK OF VARIOUS PAPERWORK TO INCLUDE DOCUMENT "PORTFOLIO
STRATEGY OUTLOOK FOR 4Q09 AND BEYOND"
(1) ONE CLEAR PLASTIC BINDER LABELED "SELF EVALUATION 2007"
(1) ONE BLACK BINDER LABELED "BLACKSTONE CONFERENCE CALLS"
(1) ONE BLACK BINDER CONTAINING VARIOUS DOCUMENTS TO INCLUDE "2007
COMPENSATIONS REVIEW."
(1) ONE STACK OF VARIOUS DOCUMENTS TO INCLUDE BOUND DOCUMENT ENTITLED
"EMPLOYEE ACKNOWLEDGEMENT FORM"
(1) ONE STACK OF VARIOUS DOCUMENTS TO INCLUDE HANDWRITTEN PAGE
ENTITLED "SECTIONS"
(1) ONE BLACK BINDER LABELED "IDEAS 2010"
(1) ONE BOUND DOCUMENT ENTITLED "COMPLIANCE POLICIES AND PROCEDURE
MANUAL"
(1) ONE BLACK BINDER ENTITLED "T.M.T. MEETING"
(1) ONE BLACK BINDER ENTITLED "2009 THEMES"

Received By:

(Signature)

Received From:

(Signature)

SEAL F.B.I.

ITEM #2 JPH

Page 1 of 2

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 318D-NY-302921On (date) NOVEMBER 22, 2010

item(s) listed below were:

- ☐ Received From
☐ Returned To
☐ Released To
☒ Seized

(Name) LEVEL GLOBAL INVESTORS(Street Address) 888 SEVENTH AVENUE, 27TH FLOOR, ROOM A (CHIASSON)(City) NEW YORK, NEW YORK

Description of Item(s):

- (1) ONE STACK OF VARIOUS DOCUMENTS TO INCLUDE DOCUMENT ENTITLED "TRUE SPRING FARM CONDOMINIUM UNIT PROFILE"
- (1) ONE DESK CALENDAR PAGE FOR NOVEMBER 2010.
- (1) ONE BLACK BINDER LABELED "COMPLIANCE POLICIES AND PROCEDURES JULY 2009,
- (1) ONE BEIGE PLASTIC FOLDER LABELED "DAILY POSITIONS NOVEMBER 18, 2010" CONTAINING VARIOUS DOCUMENTS,
- (1) ONE YELLOW NOTE PAD,
- (1) ONE MANILLA FOLDER LABELED [REDACTED]
- (1) ONE PLASTIC BINDER LABELED [REDACTED] CONTAINING VARIOUS DOCUMENTS.
- (1) ONE MANILLA FOLDER LABELED [REDACTED] 11/19/10" CONTAINING VARIOUS DOCUMENTS.
- (1) ONE BEIGE PLASTIC FOLDER LABELED "TUESDAY NOVEMBER 16, 2010" CONTAINING VARIOUS DOCUMENTS"
- (1) ONE STACK OF VARIOUS DOCUMENTS TO INCLUDE DOCUMENT ENTITLED [REDACTED] RESEARCH GROUP ECONOMIC AND MARKET OUTLOOK."
- (1) ONE MANILLA FOLDER LABELED "S/A/C/ [REDACTED] CORRESPONDENCE"
- (1) ONE DOCUMENT ENTITLED "TOP CONTACT BY STOCK"

Received By:

(Signature)

Received From:

[Signature]
GARY PARRELL

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 318-NY-302921On (date) 11/22/2010

item(s) listed below were:

- ☐ Received From
☐ Returned To
☐ Released To
☒ Seized

(Name) Level Global Investors(Street Address) 888 Seventh Avenue, 27th Floor, Room A (CHIASSON)(City) New York

Description of Item(s):

- (1) one manilla folder labeled "Wednesday, October 27, 2010" containing various documents and one yellow notepad
- (1) one spiral pamphlet titled "Budget Committee Meeting" dated 11/1/2010
- (1) one spiral pamphlet titled "CHIASSON 9/30/10 Financial Summary"
- (1) one pamphlet titled "CHIASSON Q2 2010 Review 8-4-10"
- (1) one pamphlet titled "Budget Committee Meeting" dated 10/1/2010
- (2) two gray spiral books titled [REDACTED]
- (1) one stack of paperwork containing various documents
- (1) one white notepad
- (1) one yellow notepad
- (1) one blue folder titled Capital Asia containing various documents
- (1) one page of company directory list
- (1) one pamphlet titled financial history 2005/05 and Projection to 2011/12
- (1) one white notepad
- (1) one stack of paperwork containing various documents

~~THAB 11/22/10~~

FBI

(Signature)

Received From:

(Signature)

SPECIAL AGENT